

Resolution

No. 08-9

AUTHORIZING SETTLEMENT OF
ROSA RODRIGUEZ MARTINEZ AND SALOMON BALTAZAR
ALONSO VS. AARON WON, COUNTY OF MAUI, ET AL.,
CIVIL NO. CV 06-00409 HG LEK

WHEREAS, Plaintiffs Rosa Rodriguez Martinez and Salomon Baltazar Alonso, (hereinafter "Plaintiffs") filed a lawsuit in the Circuit Court of the Second Circuit on July 13, 2006, Civ. No. 06-1-0247 (3) against the County of Maui, claiming general and special damages arising from the arrest of Rosa Rodriguez Martinez on or about July 28, 2004 in Lahaina, Maui, Hawaii; and

WHEREAS, the County of Maui removed this case to the U.S. District Court for the District of Hawaii on July 27, 2006, Civil No. CV06-00409 HG LEK; and

WHEREAS, the County of Maui, to avoid incurring expenses and the uncertainty of a judicial determination of the parties' respective rights and liabilities, will attempt to reach a resolution of this case by way of a negotiated settlement; and

WHEREAS, on December 21, 2007, Council adopted Resolution No. 07-151 authorizing the settlement of this matter; and

WHEREAS, the Department of the Corporation Counsel has requested authority to settle this litigation for TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); and

WHEREAS, having reviewed the facts and circumstances regarding this case and being advised of attempts to reach resolution of this

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case by way of a negotiated settlement by the Department of the Corporation Counsel; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

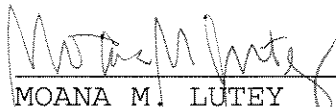
1. That it hereby authorizes the Department of the Corporation Counsel to negotiate settlement in this case in the total amount of TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00); and

2. That it hereby authorizes the Director of Finance of the County of Maui to satisfy said settlement of this case in Civil No. CV06-00409 HG LEK, under such terms and conditions as may be imposed, and agreed to, by the Corporation Counsel;

3. That this resolution will supersede the previously adopted Resolution No. 07-151; and

4. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, and the Corporation Counsel.

APPROVED AS TO FORM
AND LEGALITY:



MOANA M. LUTEY
Deputy Corporation Counsel
County of Maui


COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 08-9 was adopted by the Council of the County of Maui, State of Hawaii, on the 25th day of January, 2008, by the following vote:

MEMBERS	G. Riki HOKAMA Chair	Dennis A. MATEO Vice-Chair	Michelle ANDERSON	Gladys C. BAISA	Jo Anne JOHNSON	William J. MEDEIROS	Michael J. MOLINA	Joseph PONTANILLA	Michael P. VICTORINO
ROLL CALL	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye



COUNTY CLERK